

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6894 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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GOKULBHAI VASHRAMBHAI

Versus

INQUIRY COMMISSIONER

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Appearance:

MR KV SHELAT for Petitioner  
MR AJ SHASTRI for Respondent No. 3 to 4A  
MR VB GHARANIA AGP for respondent no.1  
NOTICE SERVED BY DS for Respondent No. 2

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 11/09/98

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. V.B. Gharania, Ld. AGP for respondent no.1 and Mr. A.J. Shastri, learned advocate for respondents nos. 3 to 4A. Presence of respondent no.2 is not required for the order which is proposed to be passed.

2. Heard. In this petition grievance is made with regard to ex-parte proceedings being undertaken by the respondent no.1 in Application Nos. 38 and 39 of 1998 pending before the said authority. Mr. Shastri submits that the stage where the ex-parte proceedings were undertaken was on 6/8/1998. When this matter was placed for hearing of admission, following order was passed on 25/8/1998 :-

"Notice to respondents nos. 1 and 2 returnable on 2/9/1998.

In the meantime, the respondent no. 1 will not pronounce the order in the pending proceedings (Applications Nos. 38/98 and 39/98). This order is passed after hearing the learned advocate appearing for the caveator. (A.J. Shastri)"

3. Today Mr. V.B. Gharania, Ld. AGP is present. He submits that if the petitioner and other contesting party/parties cooperate in the proceedings before the respondent no. 1 authority, the proceedings may be reopened from the stage of 6/8/1998. Following directions are therefore, issued :-

The petitioners and respondents nos. 3 to 4A will cooperate in the proceedings before the respondent no.1 without any obstruction in such proceedings. The respondent no.1 will proceed further from the stage where the proceedings were left on 6/8/1998 and deal with and decide the matter in accordance with law as expeditiously as possible.

Subject to above direction, rule is discharged.  
No order as to cost.

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\*\*PVR\*\* sca689498j.